

BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY
DOCKET – THURSDAY, OCTOBER 18, 2007
ROOM 215 - CITY HALL - 100 NORTH HOLLIDAY STREET

1:00 p.m. Wanda Nash & Stephanie Wantland, GM Holdings, Inc. T/a Lust, 408 E. Baltimore Street – Class BD7 Beer, Wine & Liquor License - **Violation of Rule 4.03(a)** “No licensee shall permit or suffer any person, employed in or a frequenter of his establishment to solicit for himself or others the purchase by patrons of any product sold therein, or money with which to buy the same, or with which to play any amusement or entertainment device; nor shall any licensee permit or suffer any person, employed in his establishment to accept such product or money as a gift from a patron, except by way of a bona fide gratuity” on February 16, 2007 (Re: Bartender asked undercover officer if he was buying dancer a drink); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 16, 2007 (Re: Dancer, “Sandy,” arrested for solicitation for prostitution)

DECISION:

1:30 p.m. Shellie Lynn Poling, New 2 O’clock Club, Inc. T/a 2 O’clock Club, 414-16 E. Baltimore Street – Class BD7 Beer, Wine & Liquor License – **Violation of Adult Entertainment Rule 5(b)** “No dancer may touch: (1) any other dancer’s (i) breast or chest; (ii) genitals or genital area; or (iii) anus, anal area, or buttocks” on February 3, 2007 (Re: Two dancers performed on stage simulating sexual acts) **Violation of Rule (6)** “An adult-entertainment business may not permit any of the following on the premises, whether by dancers, patrons, or otherwise:...(2) caressing, fondling, or touching the breast or chest, genitals or genital area, or anus, anal area, or buttocks of any other person, whether clothed or unclothed on February 3, 2007 (Re: Dancers performing on stage were touching each other and simulating sexual acts); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on February 24, 2007 (Re: Inspection revealed use of extension cords throughout premises, trash stored on emergency exit steps and inoperable rear emergency lights); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” or **Violation of Article 2B, §12-108(d)** “No licensee, proprietor, or operator of any establishment dispensing alcoholic beverages shall permit the consumption or possession of any alcoholic beverages by a person under the age of twenty-one years upon said premises no matter by whom such alcoholic beverages shall have been purchased or from whom obtained...” on February 24, 2007 (Re: Alcoholic beverage sold to 18 year old male patron); **Violation of Rule 4.16** “No licensee shall allow his premises to be used for the purpose of possession, transfer or use of any narcotic drug” on February 24, 2007 (Re: During inspection, police found evidence of prior CDS use in the employee dressing area and suspected crack cocaine was found on a ledge on the emergency exit steps); **Violation of Article 2B §11-304(d)(2)** “In Baltimore City, a licensed premises shall cease all operations, including the serving of alcoholic beverages or food and providing entertainment, at the closing hour for that class of licensed premises specified in this article” on March 10, 2007 (Re: Establishment open at 2:10 a.m. with containers of beer still on bar and in seating area where persons were still seated); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 8, 2007 (Re: Dancer, Star, arrested for solicitation for prostitution); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 8, 2007 (Re: Dancer, Heather, arrested for solicitation for prostitution); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 3, 2007 (Re: Violation of Adult Entertainment Rules as adopted under the provisions of Baltimore City Code, Article 15 §1-3(a) and enforced under authority of Article 2B §12-203.1)

DECISION:

2:20 p.m. Jose J. Morales, Arizona Bar & Grill, Inc. T/a Arizona Bar & Grill Restaurant, 25 S. Broadway- Class “D” Beer, Wine & Liquor License – **Violation of Rule 4.16** “No licensee shall allow his premises to be used for the purpose of possession, transfer or use of any narcotic drug” on February 3, 2007 (Re: Bag of suspected cocaine found behind bar); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary

to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 2, 2007 and on February 3, 2007 (Re: No amusement licenses for any machines in the establishment)

DECISION:

2:40 p.m. Raj K. Bommakanti & Timothy Kangelidis, Radharaj, Inc. T/a Fells Point Liquor & Bar, 1709 Fleet Street - Class BD7 Beer, Wine & Liquor License - Violation of Rule 3.02 “Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business” on March 3, 2007 (Re: Licensee was uncooperative and shouting at police officer over the phone); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board” on March 3, 2007 (Re: No records of purchases available); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on March 3, 2007 and June 23, 2007 (Re: No employee records available); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on March 3, 2007 (Re: Rear exit door bolted shut); **Violation of Rule 4.01(a)** “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on June 23, 2007 (Re: Alcohol sold to 20 year old Baltimore City Police Cadet); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on March 3, 2007 (Re: No current amusement licenses on machines)

DECISION:

3:00 p.m. Richard Burman & Richard Goodrick, Zee Man, Inc. T/a Lou's Bar, 4819-25 Eastern Avenue – Class BD7 Beer, Wine & Liquor License – Violation of Rule 4.01(a) “No licensee shall sell or furnish alcoholic beverages to any person under twenty-one (21) years of age or to any person with the knowledge that such person is purchasing or acquiring such beverages for consumption by any person under twenty-one (21) years of age” on February 2, 2007 (Re: Alcoholic beverage sold to 20 year old male Baltimore City Police Cadet) ; **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on February 2, 2007 & on June 27, 2007 (Re: No employee records available); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on June 27, 2007 (Re: Rear exit door locked); **Violation of Rule 4.02** “No licensee shall sell or furnish alcoholic beverages to any person under the influence of alcohol or narcotic drugs or who is disorderly in manner or to any person known to be a habitual drunkard or user of narcotic drugs” on June 27, 2007 (Re: Officers observed highly intoxicated patron stagger toward exit); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on June 27, 2007 (Re: Current amusement licenses not displayed on machines)

DECISION:

3:15 p.m. Harry A. Thomas, Harry's American, Inc. T/a Harry's American Bar, 623-25 S. Luzerne Avenue - Class BD7 Beer, Wine & Liquor license – Violation of Rule 4.14 “No licensee, except the holder of a Class "C" license, shall directly or indirectly refuse, withdraw from or deny to any person the services, accommodations, advantages, facilities and privileges offered on said licensee's premises on the grounds of race, color, creed or national origin” on February 4, 2007 (Re: Bartender refused service to African American couple who came into establishment); **Violation of Article 2B §10-505** “Every person receiving a license under the provisions of this article shall frame his license under glass and place the same so that it shall at all times be conspicuous and easily read in his place of business, except in the case of a Class F license, which shall be kept in the chief operating office of the corporation in this State” on February 4, 2007 (Re: License not posted in conspicuous place); **Violation of Rule 3.02** “Licensees shall cooperate with representatives of the

Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business" on February 4, 2007 (Re: Licensee and manager were uncooperative, argumentative and continuously interrupted the office during the course of the investigation); **Violation of Rule 3.03(c)** "Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies" on February 4, 2007 (Re: No employee records available to police); **Violation of Rule 4.12** "No licensee shall make any false statement in any application, letter or written or oral statement to the Board or to any of its representatives" on February 4, 2007 (Re: False statement made to police); **Violation of Rule 4.18** "No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals" on February 4, 2007 (Re: Amusement licenses on four video machines and two cigarette machines were not current)

DECISION:

3:30 p.m. Arnold Greenberg, Sharryn Greenberg & Lester Feit, Eddie's Gourmet Liquors, Inc. T/a Eddies Gourmet Liquors, 3109 St. Paul Street – Class "A" Beer, Wine & Liquor License – **Violation of Rule 4.18** "No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals" on April 11, 2007 to date (Re: Licensees notified that their corporate charter had been forfeited); **Violation of Rule 3.02** "Licensees shall cooperate with representatives of the Board, members of the Police Department, Health Department, Building Engineer's office, Grand Jury and representatives of other governmental agencies whenever any such persons are on official business" from April 11, 2007 to date (Re: Licensees have failed to respond to letter concerning the forfeit of their corporate charter)

DECISION:

3:30 p.m. Adolfo M. Alonso & James Alonso, Alonso & Sons, LLC T/a Gardel's Supper Club, 29 S. Front Street - Class "B" Beer, Wine & Liquor – **Violation of Rule 4.18** "No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals" on March 8, 2007 to date (Re: Licensees notified that their corporate charter had been forfeited)

DECISION:

3:45 p.m. Giuseppa Germano, Domenico Germano & Antonino Germano, Bafia, Inc. T/a La Scala Ristorante Italiano, 1012 Eastern Avenue - Class "B" Beer, Wine & Liquor license – **Review of transfer application** pending for more than 180 days under the provisions of **Article 2B, Section 10-503(d)(4)** "A transfer of any license shall be completed not more than 180 days after the Board approves the transfer" (Re: Application for transfer approved March 2, 2006 with extensions granted on May 18, 2006 and December 31, 2006)

DECISION: